

<p><b>IN THE MATTER OF</b></p> <p><b>BABATUNDE O. ADEKSON</b></p> <p><b>Applicant</b></p>	<p>*</p> <p>*</p> <p>*</p> <p>*</p>	<p><b>BEFORE THE MARYLAND STATE</b></p> <p><b>BOARD OF PROFESSIONAL</b></p> <p><b>COUNSELORS AND THERAPISTS</b></p> <p><b>Case Number: 2022-065</b></p>
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**FINAL ORDER**

On or about February 17, 2023, the Maryland State Board of Professional Counselors and Therapists (the “Board”) notified **BABATUNDE O. ADEKSON** (the “Applicant”), of the Board’s intent to deny his application to practice as a licensed graduate professional counselor under the Maryland State Board of Professional Counselors and Therapists Act (the “Act”), codified at Md. Code Ann., Health Occ. §§ 17-101 *et seq.* (Repl. Vol. 2021).

The Notice also informed the Applicant that, unless he requested a hearing in writing within thirty (30) days of service of the Notice, the Board would sign the Final Order, which was enclosed. More than thirty (30) days have elapsed, and the Applicant failed to timely request a hearing.

Specifically, the Board bases its intent to deny on the following provisions of the Act:

**Health Occ. § 17-304. Qualifications – Clinical professional counselors.**

- (a) Except as provided in § 17-307 of this subtitle, to qualify for a license to practice as a clinical professional counseling, an applicant shall be an individual who meets the requirements of this section.
- (b) The applicant shall be of good moral character.

And, on the relevant statutory provisions of Health Occ. § 17-509:

**Health Occ. § 17-509. Denial, probation, suspension or revocation of trainee status, license, or certificate.**

Subject to the hearing provisions of § 17-511 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny trainee status, a license, or a certificate to any applicant, place any trainee, licensee, or certificate holder on probation, reprimand any trainee, licensee, or certificate holder, or suspend, rescind, or revoke the status of any trainee, a license of any licensee, or a certificate of any certificate holder if the applicant, trainee, licensee, or certificate holder:

- (1) Fraudulently or deceptively obtains or attempts to obtain trainee status, a license, or a certificate for the applicant, trainee, licensee, or certificate holder or for another;
- (14) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board’s disciplinary statutes; *to wit, Health Occ. § 17-509*

- (8) Violates the code of ethics adopted by the Board; *to wit,*  
Code of Maryland Regulations (“COMAR”) 10.58.03.03.

....

B. An impaired counselor shall:

- (2) Seek competent professional assistance to determine whether to suspend, terminate, or limit the scope of professional or scientific activities if a counselor becomes or is made aware that personal problems interfere with providing or conducting counseling or therapy services.
- (11) Is professionally, physically, or mentally incompetent.

....

- (16) Commits an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy.

### **FINDINGS OF FACT**

The Board makes the following Findings of Fact:

#### **I. LGPC Application**

1. On or about July 21, 2021, the Board received the Applicant's application for licensure as a Licensed Graduate Professional Counselor (the "Application").

2. In his Application, the Applicant answered "Yes" to question 1, which asked: "Has any state licensing or disciplinary board ever taken any disciplinary action against your license or certification, including, but not limited to, charges, admonishment, reprimand, revocation, or suspension?"

3. The Application instructed the Applicant to "attach a separate page with a complete explanation of each occurrence (include date, time, location, disposition, etc.) and a copy of the disciplinary/court document from the issuing agency, if applicable."

4. The Applicant did not provide the Board a copy of any disciplinary documents from any issuing agency with his LGPC Application.

5. In his LGPC Application, the Applicant answered "No" to question 2, which asked: "Have you pled guilty, nolo contendere, or been convicted of, received probation before judgment or had a conviction set aside, for any criminal act in any state, territory, or jurisdiction (excluding minor traffic violations)?"

#### **II. Discipline by the Virginia Board of Counseling**

6. Upon review of the National Practitioner's Data Bank, the Board learned that

the Virginia Board of Counseling (“Virginia Board”) had disciplined the Applicant’s Virginia Professional Counselor license and Substance Abuse Counselor certificate.

7. On or about July 25, 2016, the Virginia Board issued to the Applicant a certificate to practice as a Certified Substance Abuse Counselor (C.S.A.C.) in the Commonwealth of Virginia, certificate number 0710103048.

8. On or about February 15, 2017, the Virginia Board issued to the Applicant a license to practice as a Licensed Professional Counselor (“L.P.C.”) in the Commonwealth of Virginia, license number 0701006978.

9. On May 23, 2018, the Virginia Board concluded that there was a “substantial danger to public health or safety” and issued an *Order of Summary Suspension*<sup>1</sup> summarily suspending the Applicant’s L.P.C. license and C.S.A.C. certificate. In the *Order of Summary Suspension*, the Applicant was notified that a hearing would be convened within a reasonable time to receive and act upon evidence in the matter.

10. On July 5, 2018, as a result of an evidentiary hearing, the Virginia Board issued an *Order*<sup>2</sup> (“July 2018 Order”) indefinitely suspending the Applicant’s Virginia licenses to practice as an L.P.C. license and C.S.A.C. in the Commonwealth of Virginia.

11. The July 2018 Order included the following Findings of Fact:<sup>3</sup>

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<sup>1</sup> See *Order of Summary Suspension, Before the Virginia Board of Counseling, In Re: Babatunde Oluwaseun Adekson, L.P.C., C.S.A.C.*, License Number 0701-006978, Certificate Number 0710-103048, Case Number 184439, entered and mailed May 23, 2018.

<sup>2</sup> See *Order, Before the Virginia Board of Counseling, In Re: Babatunde Oluwaseun Adekson, L.P.C., C.S.A.C.*, License Number 0701-006978, Certificate Number 0710-103048, Case Number 184439, dated July 5, 2018

<sup>3</sup> The Findings of Fact listed under paragraph 11 of this document are included to serve as only a summary of the Findings of Fact set forth by the Virginia Board of Counseling in its July 5, 2018 Order. For a complete description of the Findings of Fact see *Order, Before the Virginia Board of Counseling, In Re:*

- The Applicant had been diagnosed with a mental disorder and by his own report had been noncompliant with his medication management for quite some time.
- Between June and September 2017, during the course of his employment with his employer (“Employer”) in Virginia, the Applicant’s supervisors noticed a significant drop in work performance, increased absenteeism, poor judgment, impulsivity, increased irritability, and other aberrant behavior, specifically:
  - i. The Applicant’s increased absenteeism resulted in last minute cancellations of therapy sessions with at-risk clients resulting in disruption of the continuity of care to clients.
  - ii. In July 2017, the Applicant was counseled by his supervisor regarding the Applicant’s poor judgment in handling a client’s attempt to self-harm. The Applicant failed to notify healthcare providers where the client was residing of the client’s declining mental condition.
  - iii. Co-workers observed the Applicant in a “trance-like state” for extended periods of time when he was working at his cubicle and on one occasion was not responsive to co-worker’s verbal attempts to engage him.
  - iv. In August 2017, one of the Applicant’s supervisors reported receiving multiple late night emails from the Applicant complaining of a plot between his co-workers to destroy the Applicant’s professional status, which the supervisor believed to be unfounded. The Applicant asserted he worked in a “satanic” and “demonic” workplace.
  - v. On September 2017, the Applicant became agitated and yelled at a coworker in a loud, threatening and aggressive tone.
- On September 6, 2017, the Applicant informed the Employer Deputy Director and Chief (both licensed social workers) that he was diagnosed with a mental disorder and had a history of psychiatric hospitalization, and had not taken his prescribed medication for nine

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*Babatunde Oluwaseun Adekson, L.P.C., C.S.A.C.*, License Number 0701-006978, Certificate Number 0710-103048, Case Number 184439, dated July 5, 2018.

months. The Applicant was placed on medical leave and was informed that he would need to provide proof of mental health assessment, a plan of mental healthcare and enrollment in the Employee Assistance Program before he would be allowed to return to work. The Applicant failed to comply with the requirements and resigned his position.

- On or about November 5, 2017, the Arlington County Police Department (“ACPD”) received an anonymous email requesting a wellness check on the Applicant based on concerning Facebook posts by the Applicant, including posts of a threatening nature towards employees at Employer. The ACPD issued a banning notice which prohibited the Applicant from entering the property where Employer was located.
- Between December 4, 2017 and December 8, 2017, the Applicant attempted to gain access to Employer’s office space by signing in using a false name. The Applicant was recognized by an employee and escorted off the property.
- On or about December 5, 2017, the Applicant was arrested for trespassing on Employer’s property and the Magistrate’s Office issued an Emergency Custody Order to address concerns regarding the Applicant’s acute aggressive and bizarre behaviors, including homicidal thoughts towards Employer employees.
- On December 6, 2017, the Applicant was transported to a hospital in Virginia on a Temporary Detention Order issued based on his increased paranoia, delusions, agitation, and aggressive behavior.
- The Applicant exhibited threatening behaviors toward others that included the following:
  - i. On October 12, 2017, in Montgomery County, Maryland, the Applicant allegedly threatened to kill a mechanic working on his car. The police were called and the Applicant was found to be in possession of an unregistered handgun. The Applicant was found guilty of weapons possession violation in Montgomery County District Court on January 29, 2018.
  - ii. In late October 2017, the Applicant threatened to kill the general manager of his apartment. He was evicted on November 24, 2017 as a result of his threatening behaviors.

- iii. The Applicant had threatened to kill anyone who entered his apartment because he believed that someone had been breaking into his apartment and stealing his possessions. He also believed that the apartment leasing staff were stealing his car from the garage every night and returning it the next morning.
- iv. In a March 5, 2018 email to the Virginia Department of Health investigator, the Applicant stated that he was no longer taking his psychotropic medications and instead had opted to begin intense psychotherapy with a licensed provider as soon as he renewed his health insurance.
- v. The Applicant testified that he was receiving mental health services at facility in Alexandria, Virginia and was taking his medications as prescribed.

12. The Virginia Board concluded, as a matter of law, that that the Findings of Facts constituted violations of Virginia statutes<sup>4</sup>, specifically that the Applicant was “conducting one's practice in such a manner as to make it a danger to the health and welfare of one's clients or to the public, or if one is unable to practice counseling with reasonable skill and safety to clients by reason of illness, abusive use of alcohol, drugs, narcotics, chemicals, or other type of material or result of any mental or physical condition.”

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<sup>4</sup> The Virginia Board concluded that the Applicant violated the regulations governing the Practice of Counseling, specifically, 18 VAC 115-20-140(A)(3); and, violated the regulations governing the certification of Substance Abuse Counselors and Substance Abuse Counseling Assistants, specifically, 18 VAC 115-30-150(3); *to wit*, (“conducting one's practice in such a manner as to make it a danger to the health and welfare of one's clients or to the public, or if one is unable to practice counseling with reasonable skill and safety to clients by reason of illness, abusive use of alcohol, drugs, narcotics, chemicals, or other type of material or result of any mental or physical condition”)

13. According to the July 2018 Order, the indefinite suspension of the Applicant's license and certificate "shall be stayed upon proof of Dr. Akeson's entry into a contract with the Virginia Health Practitioner's Monitoring Program ("HPMP").

14. On January 10, 2022, the Virginia Board issued a letter to the Applicant stating that the Virginia Board had received proof of the Applicant's enrollment in HPMP and that "in accordance with the Order entered on July 5, 2018, the suspension of [the Applicant's] license[s] has now been STAYED." The letter further states that "the stay of suspension will remain in effect as long as [the Applicant] compl[ies] with [his] HPMP contract" and that "should HPMP report [his] dismissal from the program, the stay will be rescinded."

### **III. Criminal History**

15. Upon criminal background review by the Board, the Board learned found the following criminal history for the Applicant:

#### **State of Maryland v. Babatunde O. Adekson, Case No. 3D00375028**

- a. On or about, January 29, 2018, in the District Court for Montgomery County, Maryland, Case Number 3D00375028, the Applicant plead guilty and was convicted of Handgun on Person, a misdemeanor. The Applicant was sentenced to 9 months of incarceration, all of which was suspended. The Applicant was placed on 2 years of probation ending January 29, 2019.
- b. By letter dated October 12, 2021, the Division of Parole and Probation notified the Applicant that his case was "closed unsatisfactorily up expiration of the probation sentence."

#### **United States v. Babtunde Adekson, Case No. 2019 CF3 014853**

- c. On or about November 22, 2019, in the Superior Court of the District of Columbia, Case Number 2019 CF3 014853, the



Applicant was charged with Assault with a Dangerous Weapon and alleges that “on or about November 18, 2019, the Applicant assaulted [Victim] with a dangerous weapon, that is, a wooden plank.” According the court records, the court held periodic Mental Observation Hearings in 2020, and 2021 in which the Applicant was found to be mentally incompetent and ordered to in-patient competency restoration. A status hearing has been scheduled for May 3, 2023.

#### IV. Applicant’s Letter of Explanation

16. The Board requested that the Applicant provide a written explanation to the Board regarding his criminal history. In response, on or about October 5, 2021, the Board received a copy of the court disposition for the Maryland criminal case (Case No. #D00375028) and a one page court document<sup>5</sup> for the Washington DC case (Case No. 2019 CF3 014852). The Applicant a letter of explanation that included the following statements:

...With regard to the disposition in the Maryland court case, I legally purchased a weapon in the commonwealth [*sic*] of VIRGINIA [*sic*] after my apartment was broken into multiple times while living in Arlington, Virginia and my SUV stolen. I feared for my life and also feared that my belongings will continue to be stolen, the mistake I made was to cross state lines into Maryland with the weapon concealed in my care and police made a traffic stop, hence the misdemeanor probation sentence which I successfully completed...

The second disposition in Washington DC was an arrest I was involved in and a case of mistaken identity and I was arrested on the premise that I met the description of an individual who assaulted a family near Connecticut avenue [*sic*], DC. The case is still pending and I have a status hearing next year in May 2022 in Superior court [*sic*] DC.

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<sup>5</sup> The one page court document for Case No. 2019 CF3 014852 in the *United States v. Babtunde Adekson*, indicates that a status hearing was scheduled for May 3, 2020 at 9:30 a.m.

## CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Applicant's conduct as describe above constitutes violations of the Act and a basis on which to deny the Application.

Specifically:

The Applicant failed to disclose on his LGPC Application, his January 29, 2018 guilty plea and conviction for Handgun on Person, a misdemeanor, in the District Court for Montgomery County, Maryland when he answered "No" to the question asking "Have you pled guilty, nolo contendere, or been convicted of, received probation before judgment or had a conviction set aside, for any criminal act in any state, territory, or jurisdiction (excluding minor traffic violations)?" which constitutes, in whole or in part: fraudulently or deceptively obtains or attempts to obtain trainee status, a license, or a certificate for the applicant, trainee, licensee, or certificate holder or for another and therefore fraudulently or deceptively attempted to obtain a license, or a certificate for the applicant in violation of Health Occ. § 17-509 (1).

The Applicant was disciplined by the Virginia Board of Counseling in 2018 based upon his actions while practicing as a professional counselor in which he was a danger to his clients and coworkers and his actions outside his employment as a professional counselor in which he was a danger to the public and his former coworkers. The Virginia Board of Counseling issued an *Order of Summary Suspension* on May 25, 2018 in which the Applicant's Virginia licenses were summarily suspended and an *Order* on July 5, 2018 in which the Applicant's licenses were indefinitely suspended which constitutes, in whole

or in part: being disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes in violation of Health Occ. § 17-509(14).

The Applicant admitted to being diagnosed with a mental disorder, being noncompliant with his medication management of that disorder while working as a professional counselor, put at-risk clients at risk due to increased absenteeism, threatened coworkers, and failed to report a client who was self-harming, which constitutes in whole or in part: being professionally, physically, or mentally incompetent in violation of Health Occ. § 17-509(11); and, in whole or in part: commit[ting] an act of immoral or unprofessional conduct in the practice of clinical or nonclinical counseling or therapy in violation of Health Occ. § 17-509(16). The Applicant's supervisor placed the Applicant on medical leave with conditions that he could return to work if he provided proof of mental health assessment, a plan of healthcare treatment, and enrollment in EAP; however, the Applicant failed to comply with the requirements which constitutes in whole or part a violation of the code of ethics in violation of Health Occ. § 17-509 (8), specifically, COMAR 10.58.03.03.B(2) an impaired counselor shall seek competent professional assistance to determine whether to suspend, terminate, or limit the scope of professional or scientific activities if a counselor becomes or is made aware that personal problems interfere with providing or conducting counseling or therapy services.

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 21st day of April, 2023, by a majority of the Board considering this case:

**ORDERED** that **BABATUNDE O. ADEKSON’S** Application to practice as a licensed graduate professional counselor in the State of Maryland is **DENIED**; and it is further

**ORDERED** that this is a Final Order and as such is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101-4-601 (2014).

**NOTICE OF RIGHT TO APPEAL**

Pursuant to Md. Code Ann., Health Occ. § 17-512(a), the Applicant has the right to take a direct judicial appeal. Any appeal shall be filed within thirty (30) days from the date of this Final Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Procedure Act, Md. Code Ann., State Gov’t § 10-222; and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If the Applicant files an appeal, the Board is a party and should be served with the court’s process at the following address:

Shelly-Ann Barnes, Compliance Manager  
Maryland State Board of Professional Counselors and Therapists  
4201 Patterson Avenue  
Baltimore, Maryland 21215-2299  
Fax: 410-358-1610

At that point, the Administrative Prosecutor is no longer a party to this case and need not be served or copied.

04/21/2023

Date



Mary N. Drotleff, M.S. LCMFT

Board Chair

Maryland State Board of Professional  
Counselors and Therapists